

**: OFFICIAL PROCEEDINGS :****: OF THE CITY OF PEORIA, ILLINOIS :**

Council Chambers, Peoria, Illinois, April 10, 2012, a Regular City Council Meeting was held this date at 6:17 P.M., at City Hall, Council Chambers, 419 Fulton Street, with Mayor Jim Ardis presiding, and with proper notice having been posted.

**ROLL CALL**

Roll Call showed the following Council Members were physically present: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11.  
Absent: None.

**INVOCATION & PLEDGE OF ALLEGIANCE**

Mayor Jim Ardis requested a moment of silent prayer or silent reflection, and then he led the Pledge of Allegiance.

**PROCLAMATIONS, COMMENDATIONS, ETC.**

**PROCLAMATION:** PEORIA CHRISTIAN HIGH SCHOLASTIC BOWL TEAM - 2012 IHSA CLASS A STATE CHAMPIONS

**PROCLAMATION:** KEEP PEORIA BEAUTIFUL GREAT AMERICAN CLEANUP DAY – April 21, 2012

**PROCLAMATION:** TRANSPORTATION CLUB OF PEORIA - 100TH ANNIVERSARY

**PROCLAMATION:** SANGERFEST DAYS - April 14 - 15, 2012

**PROCLAMATION:** ART THAT ROCKS PEORIA BALLET DAY - April 20 - 21, 2012

**MINUTES**

Council Member Spain moved to approve the minutes of the Joint City Council & Town Board Meeting held on March 27, 2012, as printed; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

**PETITIONS, REMONSTRANCES & COMMUNICATIONS – CITY OF PEORIA**

**(12-134) PUBLIC HEARING Regarding the PLAN of OPERATION and GOVERNANCE, the Next Step in IMPLEMENTING the OPT-OUT MUNICIPAL ELECTRICITY AGGREGATION PROGRAM Approved by Voters on March 20, 2012.**

Council Member Spain moved to open the Public Hearing regarding the Plan of Operation and Governance, the next step in implementing the Opt-Out Municipal Electricity Aggregation Program approved by voters on March 20, 2012; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

The Public Hearing opened at 6:41 P.M.

Special Projects Manager Chris Setti explained the voters approved a referendum allowing the City to create an Opt-Out Municipal Electricity Aggregation Program for its residents and small commercial accounts, and Peoria was joined with neighboring communities to include Peoria County, Pekin, East Peoria, Washington, Morton, and Tazewell County in this endeavor. He said the law required Peoria to adopt a plan for operation and governance and it was required for the City of Peoria to hold two Public Hearings. He stated one of the Public Hearings was tonight and the second Public Hearing would be held on April 17, 2012. He said similar plans were being adopted by the other communities and the goal was for each community to have their plan adopted by April 17, 2012.

Mr. Setti said the City would seek a fixed price that would be lower than the comparable price available from Ameren. He said this was an excellent opportunity to lock in low prices for two to three years. He stated each account holder would be sent a letter on City letterhead giving them an opportunity to participate in the program. He said this opportunity would be afforded to those who had entered into an alternative electricity agreement with a different supplier or customers who received a free or discounted rate from Ameren, those who had an hourly rate, those who were on an all electric or space heating rate, those who had an Ameren bundle hold, and those who used more than 15,000 kilowatt hours per year. He explained the program further and he concluded by saying that customers would still just pay one bill each month. He noted those who chose the opt-out program, but then cancelled, may have to pay a cancellation fee, but it would be no more than \$25.00 and there would be no fee for moving from one residence to another. He added that repairs would still be handled by Ameren.

Mayor Ardis opened the Floor to those who wished to address the City Council regarding this issue.

Joyce Harant, representing Peoria Families Against Toxic Waste, commended the Council for allowing the voters to approve the aggregation program and she commended the public for voting for the issue. She urged the Council to provide good consumer information and support during the process. She said special populations, such as the elderly, needed additional attention for their understanding. She expressed concern that only one notice had been sent out and she said two notices should be sent to consumers. She also expressed concern regarding the 15-day notice and she questioned if that was adequate. She stated she did not feel the document was clear regarding people moving from residence to residence. She said she felt it should be made as easy as possible for people to stay in the aggregate program.

Mayor Ardis stated another Public Hearing would be held on Tuesday, April 17, 2012.

Following the third call by Mayor Ardis for citizens to comment further, Council Member Spain moved to close the Public Hearing regarding the Plan of Operation and Governance, the next step in implementing the Opt-Out Municipal Electricity Aggregation Program approved by voters on March 20, 2012; seconded by Council Member Van Auken.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

The Public Hearing closed at 7:10 P.M.

**(12-135) Communication from the City Manager Regarding the PROPOSED PLAN for OPERATION and GOVERNANCE for the CITY OF PEORIA'S OPT-OUT MUNICIPAL ELECTRICITY AGGREGATION PROGRAM, with Request to Receive and File.**

Council Member Van Auken moved to receive and file the Proposed Plan for Operation and Governance for the City of Peoria's Opt-Out Municipal Electricity Aggregation Program; seconded by Council Member Riggerbach.

Council Member Sandberg referred to the information provided that indicated there would be a modest increase for the City of Peoria and discussion was held regarding how this money could be used. City Manager Patrick Ulrich said discussions were held regarding different suggestions. He stated it might be an opportunity to use these resources for alley lighting or other projects. He added the other communities involved also built in modest increases on the price of energy. Council Member Sandberg suggested the City could be at a competitive advantage if they allowed their residents to spend the money. Council Member Sandberg stated he had always been supportive of this concept, but he expressed concern that this would be another way for the citizens to pay for City projects.

In discussion with Council Member Spears regarding savings, Mr. Setti explained savings for citizens were anticipated, but not guaranteed. He explained the bidding process and stated citizens' rates would never be higher than the standard Ameren rate.

Council Member Spears expressed concern there was the possibility that standard Ameren rates could change and having to also beat the rates of Commonwealth Edison.

Mr. Setti stated there would be a benchmark for comparison and he felt it was guaranteed there would be savings and he explained. He added he did not feel they would have to beat the rates of Commonwealth Edison.

In discussion with Council Member Van Auken regarding a point of order pertaining to her relationship as a retiree of Ameren/Cilco, Corporation Counsel Randy Ray confirmed that she would not have to abstain because this item was a motion to receive and file. He said it was his opinion the proposed action would not be contracting with Ameren and would not give rise to a conflict. He stated Council Member Van Auken would not have to abstain when the plan was presented to Council for adoption.

Council Member Riggerbach also expressed concern regarding some confusion the elderly had experienced pertaining to this program. He said he had received several calls regarding these issues. He questioned if there was a timeline for notices or other information so these citizens would not be taken in by street offers.

Mr. Setti said the City would pursue working with the Agency on Aging and AARP to get information out to their clients. He said there were plans for public education so everyone would be aware and to prevent as much confusion as possible. He said the bids should come in early May and opt out notices would go out in middle of June 2012.

In discussion with Council Member Sandberg regarding the 15 days, Mr. Setti said he would report back to Council Member Sandberg regarding this issue. Council Member Sandberg stated he would like to see the linkage in the plan that was planned for adoption next week.

Motion to receive and file was approved by roll call vote.

Yeas: Akeson, Gullett, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

**WELCOME OF LOCAL DIGNITARIES**

Mayor Ardis welcomed County Board Members Junior Watkins and Lynn Scott Pearson to the Council Meeting.

**CONSIDERATION OF CONSENT AGENDA ITEMS BY OMNIBUS VOTE, for the City of Peoria, with Recommendations as Outlined:**

- (12-136) NOTICE of LAWSUIT Filed on Behalf of CAESAR STENSON Regarding a Complaint Against the Peoria Police Chief and Two Police Officers Regarding a Complaint, with Request to Receive for Information and Refer to the Legal Department.
- (12-137) NOTICE of LAWSUIT Filed on Behalf of DAVID BROWN Regarding a Complaint Against a Police Officer, with Request to Receive for Information and Refer to the Legal Department.
- (12-138) NOTICE of LAWSUIT Filed on Behalf of EARNEST LEE YOUNG Regarding a Complaint Against the City of Peoria, Kenneth Orwig, and Paul Tuttle, with Request to Receive for Information and Refer to the Legal Department.
- (12-139) Communication from the City Manager and Director of Public Works Requesting Approval of the Following Pertaining to the PENNSYLVANIA AVENUE IMPROVEMENT PROJECT:
- A. ACCEPT the LOW BID of STARK EXCAVATING, INC. and Award a CONSTRUCTION CONTRACT, in the Amount of \$1,843,962.20, with Additional Authorization of \$92,000.00 (5% for contingencies);
  - B. APPROVE CHANGE ORDER #1 to the Said CONSTRUCTION CONTRACT for an Additional Amount of \$3,643.60 as Described; and
  - C. APPROVE the SUPPLEMENTAL MFT RESOLUTION NO. 12-139, in the Amount of \$1,940,000.00, for Construction Costs.
- (12-140)  
\* Communication from the City Manager and Director of Human Resources Department Requesting Execution of a CONTRACT with RESOURCE MANAGEMENT ASSOCIATES (RMA), in the Amount of \$77,765.00, to ADMINISTER POLICE SERGEANT and POLICE LIEUTENANT PROMOTIONAL EXAMINATIONS.
- (12-141) Communication from the City Manager and Director of Public Works Requesting Approval of a CONTRACT EXTENSION for PLUMBING MAINTENANCE with J. C. DILLON, INC., for an Annual Cost of Up to \$50,000.00. (Extends Item No. 08-208)
- (12-142)  
\*\* Communication from the City Manager and Corporation Counsel Requesting Approval of the THIRD AMENDMENT to the AGREEMENT Between the City of Peoria and MAIN STREET LAND TRUST and PEORIA SPEAKEASY, INC., and to a PURCHASE AGREEMENT Between the City of Peoria and MAIN STREET LAND TRUST and/or MAIN STREET LLC, and to Authorize the City Manager to Execute the Necessary Documents.

- (12-143) **Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from Staff to Adopt an ORDINANCE Renaming SUD PARKWAY to VAN WINKLE WAY.**  
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- (12-144) **Communication from the City Manager and Interim Director of Inspections Requesting Adoption of an ORDINANCE Amending CHAPTER 5, SECTION 5-300, of the Code of the City of Peoria Pertaining to the EMERGENCY DEMOLITION OF BUILDINGS.**  
\*\*\*\*
- (12-145) **Communication from the City Manager and Corporation Counsel Requesting Approval of the APPLICATION for a CLASS H (Temporary Outdoor) LIQUOR LICENSE from the FRIENDS OF CHILDREN OF HAITI for an Event to be Held at RIVERFRONT PARK on FRIDAY, MAY 4, 2012.**
- (12-146) **REAPPOINTMENTS by Mayor Jim Ardis to the MUNICIPAL BAND COMMISSION, with Request to Concur:**  
  
**Denise Cooksey (Voting) - Term Expires 6/30/2014**  
**James Hopkins (Voting) - Term Expires 6/30/2014**
- (12-147) **REAPPOINTMENT by Mayor Jim Ardis to the PEORIA URBAN FORESTRY ADVISORY BOARD, with Request to Concur:**  
  
**Michael Gary Wilkins (Voting) - Term Expires 6/30/2014**
- (12-148) **APPOINTMENT by Mayor Jim Ardis to the PLANNING COMMISSION, with Request to Concur:**  
  
**Mark Johnson (Voting) - Term Expires 6/30/2012**
- (12-149) **APPOINTMENT by Mayor Jim Ardis to the WORKFORCE DEVELOPMENT BOARD, with Request to Concur:**  
  
**Casey Johnson (Voting) - Term Expires 10/1/2015**

Mayor Ardis questioned if the Council wished to have any of the Consent Agenda items removed for further discussion.

Council Member Turner requested that item No. 12-143 be removed from the Consent Agenda for further discussion.

Council Member Sandberg requested that item Nos. 12-142 and 12-144 be removed from the Consent Agenda for further discussion.

Council Member Irving requested that item No. 12-140 be removed from the Consent Agenda for further discussion.

Council Member Weaver moved to approve the Consent Agenda items as outlined in the Council Communications; seconded by Council Member Van Auken.

Items No. 12-136 through 12-149 (excluding Item Nos. 12-140, 12-142, 12-143 and 12-144, which were removed for further discussion) were approved by roll call vote under the Omnibus Vote Designation.

Yeas: Akeson, Gulley, Irving, Rigenbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

- (12-140)**  
\* **Communication from the City Manager and Director of Human Resources Department Requesting Execution of a CONTRACT with RESOURCE MANAGEMENT ASSOCIATES (RMA), in the Amount of \$77,765.00, to ADMINISTER POLICE SERGEANT and POLICE LIEUTENANT PROMOTIONAL EXAMINATIONS.**

Following a brief clarification by Director of Human Resources Mary Ann Stalcup, Council Member Irving moved to execute a Contract with Resource Management Associates (RMA), in the amount of \$77,765.00, to administer Police Sergeant and Police Lieutenant Promotional Examinations; seconded by Council Member Turner.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

- (12-142)**  
\*\* **Communication from the City Manager and Corporation Counsel Requesting Approval of the THIRD AMENDMENT to the AGREEMENT Between the City of Peoria and MAIN STREET LAND TRUST and PEORIA SPEAKEASY, INC., and to a PURCHASE AGREEMENT Between the City of Peoria and MAIN STREET LAND TRUST and/or MAIN STREET LLC, and to Authorize the City Manager to Execute the Necessary Documents.**

Council Member Sandberg expressed concern that this item was listed on the Consent Agenda.

Council Member Van Auken moved to approve the Third Amendment to the Agreement between the City of Peoria and Main Street Land Trust and Peoria Speakeasy, Inc., and to a Purchase Agreement between the City of Peoria and Main Street Land Trust and/or Main Street LLC, and to authorize the City Manager to execute the necessary documents; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Gulley, Irving, Riggerbach, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 9;

Nays: Akeson, Sandberg - 2.

- (12-143)**  
\*\*\* **Communication from the City Manager and Interim Director of Planning and Growth Management with Recommendation from Staff to Adopt an ORDINANCE Renaming SUD PARKWAY to VAN WINKLE WAY.**

Council Member Turner expressed concern regarding the impact a change would have on existing businesses in the area. He said the business owners were not in favor of any change.

In discussion, Senior Urban Planner Leah Allison explained the City had received no response one way or the other from Methodist Medical Center, but a letter of objection had been received from the Sud Family Limited Partnership.

Council Member Turner moved to grant Privilege of the Floor to Ms. Suniti Sud.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Ms. Suniti Sud.

Suniti Sud, Attorney representing the Sud Family Limited Partnership, spoke in opposition to the proposed street name change to Van Winkle Way. She stated the road had been constructed and paid for by the Sud Family Limited Partnership and was given to the City of Peoria. She said the family was still developing the land and it was felt this would be an unnecessary expense to the businesses involved. She said the project was designed to meet the criteria and standards for a City street as well as criteria and standards for water and sewer mains for Illinois American Water Company. She suggested that the small street presently named Van Winkle Way be renamed Sud Parkway and the City should find a more prominent street to be named Van Winkle Way, who she felt was worthy of the designation.

Gian Sud expressed concern regarding the request for a street name change, which he said he did not feel was logical. He stated the land was still being developed and he had worked with the City in the beginning of development and he did not feel this was right.

In discussion with Council Member Turner, Ms. Sud confirmed the Sud Family Limited Partnership leased property to Pearl Imports of Peoria d/b/a Autohaus of Peoria located at 2322 W. Sud Parkway, who was the petitioner for the street name change.

Council Member Turner said he felt there was no reason for a name change and he would not support adoption of an Ordinance.

Council Member Irving expressed concern that this was the first time he had heard about this project. He suggested a deferral so he could request additional information.

Discussion was held regarding why the request was made, the process that was followed, and the costs involved.

Council Member Irving moved to defer this item for two weeks until the April 24, 2012, Regular Council Meeting; seconded by Council Member Weaver.

Motion to defer this item until April 24, 2012, was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

**(12-144)      Communication from the City Manager and Interim Director of Inspections  
\*\*\*\*      Requesting Adoption of an ORDINANCE Amending CHAPTER 5, SECTION  
                 5-300, of the Code of the City of Peoria Pertaining to the EMERGENCY  
                 DEMOLITION OF BUILDINGS.**

Council Member Sandberg expressed concern regarding demolitions due to deterioration of the structure. Following further clarification, Council Member Sandberg moved to adopt the Ordinance amending Chapter 5, Section 5-300, of the Code of the City of Peoria pertaining to the Emergency Demolition of Buildings; seconded by Council Member Weaver.

ORDINANCE NO. 16,813 was adopted by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

**(12-150)      Communication from Council Member Clyde Gulley Requesting Approval  
                 of a PLAN to ALLOCATE SOUTHTOWN TIF FUNDS to VARIOUS  
                 COMMUNITY PROJECTS as Outlined.**

Council Member Gulley distributed a replacement communication to all members of the City Council. He said the additional information came from the Steering Committee's Meeting.

Council Member Gulley gave an overview of the projects that were proposed in the replacement communication. He said the Steering Committee submitted this document for the Council's consideration.

Council Member Gulley moved to approve the Plan to allocate Southtown TIF Funds to various community projects as outlined in the replacement communication; seconded by Council Member Weaver.

Mayor Ardis thanked Council Member Gulley for his efforts on behalf of the Southtown TIF Funds. He said extra meetings were held with the Steering Committee and he stated he appreciated the time he committed to this project.

Council Member Sandberg expressed concern regarding the costs for consultants and City Manager Patrick Urich confirmed the cost should be \$50,000 rather than \$100,000 for consulting fees as reported on page 3 of the Council Communication.

Council Member Sandberg expressed concern regarding the proposed funding of ornamental lights for Spring Grove Subdivision because of the precedence this would set for other neighborhood organizations. He said these costs were normally shared with the City rather than the City funding the entire amount. He said TIF money had already paid for the ornamental fencing around Spring Grove, and the streets, curbs, sidewalks, sewers, etc. He said this was at the end of the life of the TIF after 35 years and he had supported getting out of the TIF early so money could be given to the School District, which he felt was a high priority. He also pointed out the pending problem with MacArthur Bridge and he said major repairs would be needed in the future. He said TIF money could also be used for this kind of expense.

Council Member Van Auken said she agreed with the comments regarding the costs for ornamental lighting and she felt the residents should be held to the Ornamental Lighting Program where there was a cost share of 50% and 50% with the City. She expressed concern regarding the precedence this would set for other neighborhoods. She stated some of the items listed in the communication were pressing needs, but she did not feel that ornamental lighting was one of them unless it went through the Special Assessment Program and the costs were divided.

Council Member Akeson stated she felt Carver Center and its youth programs were important to the neighborhood. She said TIF money had not been utilized to its greatest potential in her opinion. She said she felt TIF money could be used for ornamental lighting. She discussed her informal review of surface parking lots in the Southtown area and she stated there were too many surface parking lots, which impacted storm water runoff. She expressed concern regarding the reconstruction of Seventh Street and the removal of the brick street. She stated she agreed with the comments and concerns about MacArthur Bridge and she felt this situation needed to be reviewed by planning experts because there were some issues which had not been considered.

Council Member Spain spoke in support of Carver Center and he requested information from City Manager Patrick Urich regarding operational improvements made by the Board. He said it was his understanding that the work was continuing and he would like a report back in a future Issues Update.

Council Member Riggensbach said residents in the East Bluff were keenly watching this process. He said it sounded like these projects were TIF eligible, but the projects may not align with the City's previously established policies.



City Manager Patrick Ulrich stated, if the Council decided to move forward with these projects, a Budget amendment would come back to the Council with a draft plan.

Council Member Akeson discussed the parking needs for Bethel United Methodist Church and she suggested additional parking could be obtained by making some sign changes on John Gwen Avenue. She moved to grant Privilege of the Floor to Pastor Rose Booker Jones.

Hearing no objections, Mayor Ardis granted Privilege of the Floor to Pastor Rose Booker Jones.

Rose Booker Jones, Pastor of Bethel United Methodist Church, expressed concern regarding Council Member Akeson's suggestion due to heavy traffic and the possible need for EMT or Fire Department vehicles being able to enter the area. She spoke in support of the Southtown TIF funding being used as proposed and also funding a portion of the hotel to create needed jobs. She explained the church needed an additional 50 parking spaces to add to the 48 parking spaces they had already developed.

Council Member Akeson again expressed concern regarding funding a surface parking lot. She said a thorough comprehensive parking study needed to be conducted for the area. She added there were other more expensive projects that needed funding such as the CSO project.

Council Member Gulley moved to amend his motion to include a request for Staff to bring back a comprehensive parking needs study for Southtown; seconded by Council Member Weaver.

Mayor Ardis requested information regarding who was in charge of operations for Carver Center. He said he felt it was important to know this information before funding was granted and that information needed to be a part of the plan.

Council Member Weaver expressed concern regarding any emergency repairs that were needed to the Carver Center facility and City Manager Ulrich indicated those repairs could be expedited.

Motion to approve the Plan to allocate Southtown TIF Funds to various community projects, as outlined in the replacement communication, as amended to include a request for Staff to bring back a comprehensive parking needs study for Southtown was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Rigganbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

**(12-151) Communication from the City Manager Requesting Approval of the Recommendation of the Ad Hoc Committee of the City Council on Redistricting to Adopt an ORDINANCE ESTABLISHING the PROPOSED MAP as the NEW CITY COUNCIL DISTRICT BOUNDARIES.**

An e-mail from a citizen, a large map showing Map #B with details, a copy of minutes of the Special Meeting of the Ad Hoc Committee of the City Council on Redistricting, and maps that were distributed at that meeting were distributed to all members of the City Council.

Mayor Ardis thanked Council Member Spears for chairing the Ad Hoc Committee of the City Council on Redistricting and for his efforts on bringing back a recommendation to the City Council. Mayor Ardis stated he felt further discussion was merited before the Council took a vote on this item. He said this adopted map would be the guideline for districts for the next ten years and he stressed the importance of a timely decision, but also a well thought-out plan. He suggested extending the contract for the software used to analyze the maps and holding one or two more Redistricting Ad Hoc meetings.

Council Member Gulley spoke in support of Map #B and he discussed the development that would be occurring in Riverfront Village, the Warehouse District, and Harrison School Impact Zone. He stated he was comfortable with the numbers as presented.

Council Member Van Auken expressed concern that Map #B did not plan for further growth. She said Districts #4 and #5 should begin with a deficit in population to allow for future growth, but she stated Map #B turned this around. She said she felt additional discussion was needed to hear further concerns and comments.

Council Member Van Auken moved to defer this item until further discussion could be held.

In discussion Council Member Sandberg stated Map #B was not in balance with the natural growth patterns of Districts #4 and #5. Council Member Spain said he would support a motion to defer because he felt more work was needed and he suggested reviewing Map #12 again.

Council Member Akeson said she thought it would not be wise to delay the process too long because there may be citizens who needed to plan their campaign to run for a District Council seat and time could be an issue. She added that residents in the Districts would need to know which District they were located in as well.

It was stated in further discussion that it was possible additional meetings would not change the outcome much.

Council Member Weaver stated he would vote against a deferral. He spoke in support of keeping the West Bluff neighborhood together in one District and he said he knew there were people who wanted to begin getting their campaign for a District Council seat together. He added he felt it was important to retain minority representation on the Council. He said he supported Map #B and he would vote against the deferral. He said he did not feel holding additional meetings would change the outcome.

Council Member Riggensbach discussed the extensive work performed by the Ad Hoc Committee. He spoke in support of approving Map #B because it kept communities of interest together and it respected significant boundary lines of thoroughfares, and it achieved other goals as well. He said there were other benefits also. He commended the Staff on their efforts regarding the many maps that were considered, but he indicated he did not feel additional discussions would change the outcome. He said, however, he would vote in favor of a deferral.

Council Member Spears stressed the importance of protecting minority populations. He said he felt it was important to run those numbers before a final vote was taken on any map. He said Map #B would not allow for growth in Districts #4 and #5 over the next ten years, so the growth cells should be stopped, if Map #B was adopted, and the City would have to concentrate on growing District #1. He stated, if Map #B was adopted, the course of the City would change.

Council Member Van Auken restated her motion to defer this item for one month until the May 8, 2012, Regular City Council Meeting, so further discussion could be held; seconded by Council Member Spain.

Council Member Irving said he did not feel there would be any change after more discussions were held.

Council Member Weaver requested that the minority interest in District #1 be at 58% and to keep the West Bluff together in one district.

Motion to defer this item for one month until the May 8, 2012, Regular City Council Meeting, so further discussion could be held, was approved by roll call vote.

Yeas: Rigenbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 8;

Nays: Akeson, Gulley, Irving - 3.

**(12-152) Communication from the City Manager and Director of Public Works  
Requesting Approval of the Following:**

- A. **ADOPTION of an ORDINANCE Amending the City of Peoria Budget for Fiscal Year 2012 Relating to the INTERGOVERNMENTAL AGREEMENT with PEORIA COUNTY Committing \$1 Million Toward Improvements to WASHINGTON STREET from HARRISON STREET to MAIN STREET;**

Council Member Gulley moved to adopt the Ordinance amending the City of Peoria Budget for Fiscal Year 2012 relating to the Intergovernmental Agreement with Peoria County committing \$1 million toward improvements to Washington Street from Harrison Street to Main Street; seconded by Council Member Spain.

ORDINANCE NO. 16,814 was adopted by roll call vote.

Yeas: Akeson, Gulley, Irving, Rigenbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

- B. **APPROVE an INTERGOVERNMENTAL AGREEMENT with PEORIA COUNTY Committing \$1 Million Toward IMPROVEMENTS to WASHINGTON STREET from HARRISON STREET to MAIN STREET.**

Council Member Gulley moved to approve an Intergovernmental Agreement with Peoria County committing \$1 million toward improvements to Washington Street from Harrison Street to Main Street; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Rigenbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

**(12-153) Communication from the City Manager and Corporation Counsel  
Requesting Adoption of the Following:**

- A. **ORDINANCE Amending CHAPTER 18 of the Code of the City of Peoria Pertaining to LICENSING of MOBILE FOOD VEHICLES; and**
- B. **ORDINANCE Amending CHAPTER 28 of the Code of the City of Peoria Pertaining to HOODS for PARKING METERS.**

Council Member Van Auken moved to defer this item for one month until the May 8, 2012, Regular City Council Meeting and to direct Staff to set up one or more meetings for public input on mobile food vehicles; seconded by Council Member Weaver.

Council Member Sandberg said he did not want mobile food trucks in an urban environment. He said he felt the language was too permissive and tighter standards needed to be set. He said there was also an inequity with requirements for restaurants. He stated restaurants had hard investments in the City and this should be taken into consideration.

In discussion with Council Member Weaver, City Manager Ulrich confirmed the City could require an audit of the cart revenues, if that was the desire of the Council.

In further discussion with Council Member Weaver regarding inspection of the cooking areas, Mr. Setti explained the inspection was conducted by the County Health Department. He said each County had to issue a license, but they worked in cooperation with other Counties. He said he would find out if all carts coming from commissaries were being inspected. He said he thought all carts were coming from local restaurants.

Council Member Riggerbach stated he felt the \$500 fee seemed low compared to the fee the pushcarts were charged, and he was concerned about the competitive advantage.

Motion to defer this item for one month until the May 8, 2012, Regular City Council Meeting and to direct Staff to set up one or more meetings for public input on mobile food vehicles was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

### **UNFINISHED BUSINESS**

#### **(INCLUDING BUT NOT LIMITED TO MOTIONS TO RECONSIDER ITEMS, IF ANY, FROM THE PREVIOUS REGULAR MEETING)**

**(12-112) Communication from the City Manager and Director of Public Works Requesting Approval of VENDORS for 2012 STREET MAINTENANCE MATERIALS, as Outlined, with Additional Information.**

Director of Public Works Dave Barber distributed a replacement for Attachment No. 2 in the Additional Information Communication to all members of the City Council.

Following a brief discussion, Council Member Sandberg moved to approve the vendors for 2012 Street Maintenance materials, as amended, and to receive and file the additional information; seconded by Council Member Spain.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

**(12-115) Communication from the City Manager and Director of Public Works with ADDITIONAL INFORMATION and with a Request to TAKE NO ACTION on the AMENDMENT to INTERGOVERNMENTAL AGREEMENT NO. 11-373 Between the City of Peoria and DUNLAP COMMUNITY SCHOOL DISTRICT 323 Regarding the Construction of the INTERSECTION of HICKORY GROVE ROAD and ALLEN ROAD.**

Following a discussion regarding how to proceed, Council Member Irving stated the City needed to work with the Dunlap School District and Board regarding the issue of roundabouts. He expressed concern there had not been an opportunity for public input and there needed to be further public education conducted. He said this project needed to go back to the beginning and start over with the residents.

City Manager Ulrich referred to Attachment G regarding the educational and information program pertaining to this intersection. He said another public meeting would be hosted in May 2012 regarding the intersection of Hickory Grove and Allen Road. He said this would be incorporated into the I.D.O.T. public meeting, which was scheduled for May 17, 2012. He said there would be another public meeting held in July 2012 for the Alta Road and Radnor Road intersection. He said they would be meeting with homeowners specifically in the Hickory Grove area.

Director of Public Works Dave Barber further explained information had been posted online regarding the Pennsylvania roundabout and there was information in the Council packet regarding this item. He provided a video displaying how the roundabout intersections assisted with traffic flow. He explained how the roundabouts accomplished more fluid and safer traffic flow, and were safer for pedestrians.

Council Member Irving expressed concern that only one intersection design had been reviewed and he said he did not feel the process had been transparent and he felt the process needed to change. He expressed further concern that Allen Road would be closed for 17 weeks and he was asking Staff to meet with him and to discuss the process further.

Council Member Irving moved to Table this item; seconded by Council Member Turner.

Motion to Table was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner,  
Van Auken, Weaver, Mayor Ardis - 11;

Nays: None.

Council Member Van Auken left the meeting.

### **NEW BUSINESS**

#### **(12-154) REQUEST to PLACE an ITEM on the APRIL 24, 2012, REGULAR CITY COUNCIL AGENDA to Begin to DEVELOP a WESTERN AVENUE TIF.**

Council Member Gulley moved to direct Staff to place an item on the April 24, 2012, Regular City Council Agenda to begin to develop a Western Avenue TIF; seconded by Council Member Weaver.

Motion to place an item on the April 24, 2012, Regular City Council Agenda to begin to develop a Western Avenue TIF was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Spain, Spears, Turner, Weaver, Mayor Ardis  
- 9;

Nays: Sandberg - 1.

#### **ANNOUNCEMENT Regarding TAKE BACK YOUR NEIGHBORHOOD EVENT at GLEN OAK SCHOOL on APRIL 12, 2012**

Council Member Riggerbach announced Glen Oak Business Association would be hosting a Take Back Your Neighborhood event on Thursday, April 12, 2012, at 6:00 P.M. at Glen Oak School. He encouraged the Council and citizens to attend.

#### **REQUEST to INCREASE ENFORCEMENT of LOUD MUSIC VIOLATIONS**

Council Member Weaver requested the Police Department to increase their enforcement of loud music violations.

**PRESENTATION****(12-155) PRESENTATION by MR. MIKE LEWIS from the ILLINOIS DEPARTMENT OF TRANSPORTATION with Request for INPUT and to Receive and File the Documentation.**

City Manager Patrick Ulrich stated, in the interest of time, Mr. Lewis had agreed to make his presentation at the April 17, 2012, Special City Council Meeting.

Trustee Spain moved to defer this item until the April 17, 2012, Special City Council Meeting; seconded by Council Member Turner.

Motion to defer this item until April 17, 2012, was approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggensbach, Sandberg, Spain, Spears, Turner, Weaver, Mayor Ardis - 10;

Nays: None.

**CITIZENS' OPPORTUNITY TO ADDRESS THE CITY COUNCIL/TOWN BOARD****(12-156) REQUEST from CITIZENS to Address the CITY COUNCIL/TOWN BOARD Regarding Various Items.**

Hearing no objections, Mayor Ardis granted Privilege of the Floor to those citizens wishing to address the City Council.

Savino Sierra, a Peoria resident, discussed the need for streets to be striped and roadway cracks to be repaired, his concern that the School District was wasting money, loud music violations, and the disrepair of Carver Center.

Denise Moore, a Peoria resident, referred to the Redistricting Maps and she expressed concern that there could be some dysfunction in the process. She urged the Council to do the courageous thing and do what was best for the City. She expressed concern regarding the guns and violence that were problems in her neighborhood and she stated the Police Department and Government Officials needed to do something about this situation. She spoke in support of the development of a Western Avenue TIF and she said that District #1 should be treated differently because it was unlike any other district in the City.

Rod Lorenz, a Peoria resident, expressed concern that there was not better notification of the Redistricting meetings that were held. He said his homeowners' association supported Map #B.

Frank Pedula, a Peoria resident, referred to the proposed Ordinance pertaining to licensing of mobile food vehicles and he expressed concern regarding the proposed language and the \$500 fee. He said City Officials should focus on developing the downtown so citizens would be attracted to visit the arts and have fun. He said the City should also focus on reopening businesses that had closed.

**EXECUTIVE SESSION**

- (12-157) **Consideration of a Motion to enter into EXECUTIVE SESSION to Discuss; 2(c)11 Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court of administrative tribunal, or when the public body finds that such an action is probable or imminent, and 2(c)21 Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06.**

Council Member Spain moved to enter into Executive Session to discuss; 2(c)11 Litigation, when an action against, affecting, or on behalf of the particular public body has been filed and is pending before a court of administrative tribunal, or when the public body finds that such an action is probable or imminent; and 2(c)21 Discussion of minutes of meetings lawfully closed under this Act, whether for purposes of approval by the body of the minutes or semi-annual review of the minutes as mandated by Section 2.06; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Weaver, Mayor Ardis - 10;

Nays: None.

**ADJOURNMENT**

Council Member Spain moved to adjourn the Regular City Council Meeting; seconded by Council Member Riggerbach.

Approved by roll call vote.

Yeas: Akeson, Gulley, Irving, Riggerbach, Sandberg, Spain, Spears, Turner, Weaver, Mayor Ardis - 10;

Nays: None.

The Regular City Council Meeting adjourned at 10:07 P.M.

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Mary L. Haynes, MMC, City Clerk  
City of Peoria, Illinois